

MAIDSTONE BOROUGH COUNCIL
COUNCIL
25 OCTOBER 2017

REPORT OF THE STRATEGIC PLANNING, SUSTAINABILITY AND
TRANSPORTATION COMMITTEE HELD ON 12 SEPTEMBER 2017

MAIDSTONE BOROUGH COMMUNITY INFRASTRUCTURE LEVY (CIL)
CHARGING SCHEDULE: APPROVAL

Issue for Decision

At the meeting of the Strategic Planning, Sustainability and Transportation (SPST) Committee on 12 September 2017 the Committee considered the Report of the Head of Planning and Development - Maidstone Borough Community Infrastructure Levy (CIL) Charging Schedule: Approval, attached as **Appendix I**. The report asked the Committee to recommend that the Maidstone Borough Community Infrastructure Levy (CIL) Charging Schedule (attached as **Appendix A**), the CIL Regulation List 123 (attached as **Appendix B**) and CIL Instalments Policy (attached as **Appendix C**) for approval by Council.

Due to the meeting of Council being postponed and to avoid a clash with the school summer holidays, the effective implementation date of the Maidstone Borough Community Infrastructure Levy (CIL) Charging Schedule (at Appendix A) will now be 1 October 2018 (rather than 1 July 2018 as originally recommended). The Strategic Planning, Sustainability and Transportation Committee were consulted on this proposed change of date. The school summer holidays are a factor because the implementation of CIL is a significant change from the current regulations. This change will affect developers, infrastructure providers and Development Management Officers alike. In the weeks preceding and immediately following the implementation date, new ways of working will be introduced and timing this switchover during or just after the school summer holidays would have significant implications for the resources available to deliver the switchover.

Recommendations Made:

1. That the Maidstone Borough Community Infrastructure Levy (CIL) Charging Schedule (Appendix A) be approved in accordance with Section 213 of the Planning Act 2008 with an effective implementation date of 1 October 2018; and
2. That the CIL Regulation 123 List (Appendix B) and CIL Instalments Policy (Appendix C) be approved.

Reasons for Recommendation

The introduction of the CIL in Maidstone will provide funding to support the delivery of the Maidstone Borough Local Plan. The Examiner has recommended that the Charging Schedule can be approved, subject to the modifications, and

the take effect date will provide a reasonable period within which to transition to the new arrangements.

Alternatives Considered and Why Not Recommended

Council could decide not to approve the Maidstone Borough Community Infrastructure Levy (CIL) Charging Schedule (Appendix A) and associated documents.

This would result in the retention of the existing arrangements under Section 106 which would place restrictions on the abilities of the Council as Local Planning Authority to collect developer contributions towards infrastructure projects which do not meet the statutory tests. This alternative would therefore remove the possibility of the Council building a "pot" of CIL monies which could be used flexibly and dynamically to facilitate growth, unlock land for development and potentially leverage in other monies. The alternative would also remove the prospect of the mechanism known as the "neighbourhood portion" whereby a proportion of CIL receipts raised in an area can be spent on local infrastructure priorities. For these reasons, the alternative is not recommended.

Appendices:

Appendix I: Report of the Head of Planning and Development - Maidstone Borough Community Infrastructure Levy (CIL) Charging Schedule: Approval

Appendix A: Maidstone Borough Community Infrastructure Levy (CIL) Charging Schedule: Approval

Appendix B: CIL Regulation 123 List (October 2017)

Appendix C: CIL Instalments Policy (October 2017)

Appendix D: Examiner's Final Report (July 2017)